Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

Enterprise Mont Belvieu Complex, 10207 Farm-to-Market Road 1942, Mont Belvieu,

Chambers County

Type of Operation:

Chemical manufacturing plant **Other Significant Matters:**

Additional Pending Enforcement Actions: Yes, Docket No. 2011-1356-AIR-E

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: September 16, 2011

Comments Received: No

Penalty Information

Total Penalty Assessed: \$66,925

Amount Deferred for Expedited Settlement: \$13,385 **Amount Deferred for Financial Inability to Pay:** \$0

Total Paid to General Revenue: \$26,770

Total Due to General Revenue: \$0

Payment Plan: N/A

SEP Conditional Offset: \$26,770

Name of SEP: Barbers Hill Independent School District-Alternative Fueled Vehicle

and Equipment Program

Compliance History Classifications:

Person/CN - Average Site/RN - Average

Major Source: Yes

Statutory Limit Adjustment: \$5,500

Applicable Penalty Policy: September 2002

Investigation Information

Complaint Date(s): N/A Complaint Information: N/A

Date(s) of Investigation: January 12, 2011, January 13, 2011, February 2, 2011, and

February 10, 2011

Date(s) of NOE(s): February 28, 2011, March 1, 2011, March 14, 2011, and April 19,

2011

Violation Information

- 1. Failed to prevent unauthorized emissions. Specifically, the Respondent released 3,049.01 pounds ("lbs") of propylene, 1,202.31 lbs of propane, 43.25 lbs of n-butane, and 30.27 lbs of ethane from a pump in the North Storage Unit during an avoidable emissions event (Incident No. 146803) that began on October 30, 2010, and lasted one hour and ten minutes. This emissions event was the result of a leak that developed on a seal flush line on Pump P-704. Since this emissions event could have been avoided through better maintenance practices and was not properly reported, the Respondent is precluded from asserting an affirmative defense under 30 Tex. Admin. Code § 101.222 [Federal Operating Permit ("FOP") No. 01641, Special Terms and Conditions No. 9, New Source Review Permit ("NSRP") Nos. 19930, PSD-TX-797M1, and PSD-TX-790, Special Conditions No. 1, 30 Tex. Admin. Code §§ 101.20(3), 116.115(c), and 122.143(4), and Tex. Health & Safety Code § 382.085(b)].
- 2. Failed to submit the final record for Incident No. 146803 within two weeks after the end of the emissions event. Specifically, the emissions event ended on October 30, 2010 at 11:25 a.m., and the final record was not submitted until November 18, 2010 at 3:30 p.m. [30 Tex. Admin. Code § 101.201(c) and Tex. Health & Safety Code § 382.085(b)].
- 3. Failed to prevent unauthorized emissions. Specifically, the Respondent released 11,593.73 lbs of propane from a gasket on the Depropanizer Column Reboiler during an emissions event (Incident No. 146894) that began on November 1, 2010, and lasted six hours. This emissions event was the result of a leak that developed when a gasket failed due to thermal expansion. Since the Respondent failed to submit a final record, the Respondent is precluded from asserting an affirmative defense under 30 Tex. Admin. Code § 101.222 [FOP No. 01641, Special Terms and Conditions No. 9, Standard Permit Registration No. 87477, General Conditions, 30 Tex. Admin. Code §§ 116.115(b)(2)(F), 116.615(2), and 122.143(4), and Tex. Health & Safety Code § 382.085(b)].
- 4. Failed to submit a final record for Incident No. 146894. Specifically, a final record was required to be submitted for this emissions event since it was determined that the actual quantity of emissions differed from the quantity that was reported in the initial notification [30 Tex. Admin. Code § 101.201(c) and Tex. Health & Safety Code § 382.085(b)].

- 5. Failed to report emissions events that exceeded a reportable quantity. Specifically, a review of the Respondent's recordable emissions event records indicated that emissions events that occurred on April 25, 2008, August 3, 2008, October 9, 2008, November 5, 2008, November 10, 2008, and September 16, 2009, exceeded a reportable quantity, and the emissions events were not reported to the TCEQ [30 Tex. Admin. Code § 101.201(a)(1)(B) and Tex. Health & Safety Code § 382.085(b)].
- 6. Failed to report all instances of deviations. Specifically, 26 recordable and reportable emissions events occurred during the June 13, 2009 through December 12, 2009, December 13, 2009 through June 12, 2010, and June 13, 2010 through December 12, 2010 reporting periods, and they were not reported as deviations in the semi-annual deviation reports [FOP No. O1641, General Terms and Conditions, 30 Tex. Admin. Code §§ 122.143(4) and 122.145(2)(A), and Tex. Health & Safety Code § 382.085(b)].
- 7. Failed to provide additional information at the request of the TCEQ. Specifically, in the Exit Interview Form dated January 13, 2011, emissions calculations for the emissions events that occurred on January 21, 2010, February 2, 2010, and June 23, 2010 were requested to be submitted by February 2, 2011, and the calculations have not been submitted [30 Tex. Admin. Code § 101.201(f) and Tex. Health & Safety Code § 382.085(b)].
- 8. Failed to prevent unauthorized emissions. Specifically, the Respondent released 22,151.69 lbs of volatile organic compounds from a bleed valve on a butane line for the West Texas Fractionator II during emissions event (Incident No. 148850) that began on Decmeber 27, 2010, and lasted sixteen minutes. This emissions event was the result of a leak that developed when a weld failure caused the valve to detach from the line. Since this emissions event was not properly reported, the Respondent is precluded from asserting an affirmative defense under 30 Tex. Admin. Code § 101.222 [FOP No. 01641, Special Terms and Conditions No. 9, NSRP No. 6798, General Conditions No. 1, 30 Tex. Admin. Code §§ 116.115(b)(2)(F) and 122.143(4), and Tex. Health & Safety Code § 382.085(b)].
- 9. Failed to submit the initial notification for Incident No. 148850 within 24 hours. Specifically, the emissions event was discovered on December 27, 2010 at 2:30 p.m., however, the initial notification was not submitted until December 28, 2010 at 3:54 p.m. [30 Tex. Admin. Code § 101.201(a)(1)(B), and Tex. Health & Safety Code § 382.085(b)].
- 10. Failed to submit a final record for Incident No. 148850. Specifically, a final record was required to be submitted for this emissions event since it was determined that the actual quanitty of emissions and duration of the emissions event differed from what was reported in the initial notification [30 Tex. Admin. Code § 101.201(c), and Tex. Health & Safety Code § 382.085(b)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Executive Director recognizes that the Respondent has implemented the following corrective measures:

- a. By February 2, 2011, the corrected emission amounts and duration for the final record for Incident No. 148850 were provided to TCEQ staff;
- b. By February 10, 2011, the corrected emission amounts for the final record for Incident No. 146894 were provided to TCEQ staff; and
- c. By March 23, 2011, the Respondent revised the tubing installation procedures to require additional inspection steps, in order to prevent the recurrence of emissions events due to the same cause as Incident No. 146803.

Technical Requirements:

- 1. The Order will require the Respondent to implement and complete a Supplemental Environmental Project ("SEP"). (See SEP Attachment A)
- 2. The Order will also require the Respondent to:
- a. Within 30 days:
- i. Implement measures and procedures designed to ensure that final records for emissions events are submitted when the information differs from the information reported in the initial notification;
- ii. Report the emissions events that occurred on April 25, 2008, August 3, 2008, October 9, 2008, November 5, 2008, November 10, 2008, and September 16, 2009 to the State of Texas Environmental Electronic Reporting System;
- iii. Implement measures and procedures designed to ensure that emissions events are reported to the TCEQ when a reportable quantity is exceeded;
- iv. Implement measures and procedures designed to ensure that all recordable and reportable emissions events are reported in the semi-annual deviation reports;
- v. Provide emissions calculations, including the basis for such calculations, for the emissions events that occurred on January 21, 2010, February 2, 2010, and June 23, 2010;
- vi. Implement measures and procedures designed to ensure that additional information requested by TCEQ staff is provided within the established timeframe; and

vii. Implement measures and procedures designed to ensure that initial notifications for emissions events are submitted with 24 hours of discovery.

b. Within 45 days, submit written certification demonstrating compliance.

Litigation Information

Date Petition(s) Filed: N/A Date Answer(s) Filed: N/A SOAH Referral Date: N/A Hearing Date(s): N/A Settlement Date: N/A

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Rebecca Johnson, Enforcement Division, Enforcement Team 5, MC R-14, (361) 825-3423; Debra Barber, Enforcement Division,

MC 219, (512) 239-0412

TCEQ SEP Coordinator: Stuart Beckley, SEP Coordinator, Enforcement Division,

MC 219, (512) 239-3565

Respondent: Graham Bacon, Vice President – Houston Region, Enterprise Products

Operating LLC, P.O. Box 573, Mont Belvieu, Texas 77580-0573

Jon Fields, Field Environmental Manager, Enterprise Products Operating LLC, P.O. Box

573, Mont Belvieu, Texas 77580-0573

Respondent's Attorney: N/A



Attachment A Docket Number: 2011-0429-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent: Enterprise Products Operating LLC

Payable Penalty Fifty-Three Thousand Five Hundred Forty

Amount: Dollars (\$53,540)

SEP Amount: Twenty-Six Thousand Seven Hundred Seventy

Dollars (\$26,770)

Type of SEP: Pre-approved

Third-Party Recipient: Barbers Hill Independent School District-

Alternative Fueled Vehicle and Equipment

Program

Location of SEP: Chambers County

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative Penalty Amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

A. Project

The Respondent shall contribute the SEP offset amount to the Third-Party Recipient named above. The contribution will be to *Barbers Hill Independent School District* for the Alternative Fueled Vehicle and Equipment Program as set forth in an agreement between the Third-Party Recipient and the TCEQ. SEP monies will be used to retire current diesel-powered or gasoline powered vehicles and equipment and replace those vehicles and equipment with alternative-fueled vehicles and equipment; convert current vehicles and equipment to alternative-fueled equipment; or retrofit current gasoline or diesel-powered equipment.

SEP funds will only be used for the incremental costs of purchase of clean fuel or loweremission vehicles or retrofit of existing vehicles and for the purchase of these cleaner burning fuels.

The Respondent certifies that there is no prior commitment to do this project and that it is being performed solely in an effort to settle this enforcement action.

Enterprise Products Operating LLC Agreed Order - Attachment A

B. Environmental Benefit

This SEP will provide a discernible environmental benefit by reducing air pollution emissions of particulate matter, volatile organic compounds, nitrogen oxides, and other pollutants associated with the combustion of fuel that would have been generated by older vehicles.

C. Minimum Expenditure

Respondent shall contribute at least the SEP amount to the Third-Party Recipient and comply with all other provisions of this SEP.

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP amount to the Third-Party Recipient. The Respondent shall mail the contribution, with a copy of the Agreed Order, to:

John Johnson Carl Griffith & Associates, Inc. 2901 Turtle Creek Drive, Suite 101 Port Arthur, Texas 77642

3. Records and Reporting

Concurrent with the payment of the SEP Amount, the Respondent shall provide the Enforcement Division SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP amount to the Third-Party Recipient. The Respondent shall mail a copy of the check and transmittal letter to:

Enforcement Division Attention: SEP Coordinator, MC 219 Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

4. Failure to Fully Perform

If the Respondent does not perform its obligations under this SEP in any way, including full payment of the SEP amount and submittal of the required reporting described in Section 3 above, the Executive Director may require immediate payment of all or part of the SEP amount.

Enterprise Products Operating LLC Agreed Order - Attachment A

The check for any amount due shall be made out to "Texas Commission on Environmental Quality" and mailed to:

Texas Commission on Environmental Quality Financial Administration Division, Revenues Attention: Cashier, MC 214 P.O. Box 13088 Austin, Texas 78711-3088

The Respondent shall also mail a copy of the check to the Enforcement Division SEP Coordinator at the address in Section 3 above.

5. Publicity

Any public statements concerning this SEP made by or on behalf of the Respondent must include a clear statement that the project was performed as part of the settlement of an enforcement action brought by the TCEQ. Such statements include advertising, public relations, and press releases.

6. Clean Texas Program

The Respondent shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, the Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

The SEP identified in this Agreed Order has not been, and shall not be, included as an SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.

Penalty Calculation Worksheet (PCW) Policy Revision 2 (September 2002) PCW Revision October 30, 2008 Assigned 21-Mar-2011 Screening 30-Mar-2011 PCW 30-Mar-2011 **EPA Due RESPONDENT/FACILITY INFORMATION** Respondent Enterprise Products Operating LLC Reg. Ent. Ref. No. RN102323268 Facility/Site Region 12-Houston Major/Minor Source Major **CASE INFORMATION** Enf./Case ID No. 41335 Docket No. 2011-0429-AIR-E No. of Violations 9 Order Type 1660 Media Program(s) Air Government/Non-Profit No Multi-Media Enf. Coordinator Rebecca Johnson EC's Team Enforcement Team 5 Admin. Penalty \$ Limit Minimum \$0 Maximum \$10,000 Penalty Calculation Section TOTAL BASE PENALTY (Sum of violation base penalties) Subtotal 1 \$28,500 ADJUSTMENTS (+/-) TO SUBTOTAL 1 Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage. **Compliance History** 155.0% Enhancement \$44,175 Enhancement for six NOVs with same/similar violations, 21 NOVs with dissimilar violations, three orders with denial of liability, and one order Notes without denial of liability. Reduction for two Notice of Audit letters submitted. 0.0% Enhancement Culpability No Subtotal 4 \$0 Notes The Respondent does not meet the culpability criteria. Good Faith Effort to Comply Total Adjustments Subtotal 5 \$250 \$0 0.0% Enhancement* Total EB Amounts \$1,035 Capped at the Total EB \$ Amount Approx. Cost of Compliance SUM OF SUBTOTALS 1-7 Final Subtotal \$72,425 OTHER FACTORS AS JUSTICE MAY REQUIRE \$0 0.0% Adjustment Reduces or enhances the Final Subtotal by the indicated percentage. Notes Final Penalty Amount \$72,425 STATUTORY LIMIT ADJUSTMENT Final Assessed Penalty \$66,925 20.0% Reduction -\$13,385 Adjustment Reduces the Final Assessed Penalty by the indicted percentage. (Enter number only; e.g. Notes Deferral offered for expedited settlement.

\$53,540

PAYABLE PENALTY

PCW

Policy Revision 2 (September 2002) PCW Revision October 30, 2008

Respondent Enterprise Products Operating LLC

Case ID No. 41335

Reg. Ent. Reference No. RN102323268

Media [Statute] Air

Enf. Coordinator Rebecca Johnson

Compliance History Worksheet

omponent	ry Site Enhancement (Subtotal 2) Number of	Enter Number He	re Adjust
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	6	30%
	Other written NOVs	21	42%
	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	3	60%
Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	1	25%
Judgments	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	0	0%
and Consent Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	2	-2%
AUJIG	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	O	0%
	Ple	ase Enter Yes or N	Vo
	Environmental management systems in place for one year or more	No	0%
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
Julia	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%
at Violator (Adjustment Perd Subtotal 3)	centage (Su	ibtotal 2)
No	Adjustment Per	centage (Su	btotal 3)
oliance Histo	ry Person Classification (Subtotal 7)		
Average Pe	rformer Adjustment Per	centage (Su	btotal 7)
pliance Histo	ry Summary		
Compliance	Enhancement for six NOVs with same/similar violations, 21 NOVs with dissimilar v	violations thre	<u></u>

Total Adjustment Percentage (Subtotals 2, 3, & 7) 155%

	ening Date		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	≥t No. 2011-0429-AIR-	A.	PCW
		Enterprise Products Op	perating LLC			2 (September 2002)
Reg. Ent. Ref	Case ID No.			er en er	44.4	ion October 30, 2008
	a [Statute]				nga gran	. • • •
		Rebecca Johnson				
	ation Number	francisco de la constantina della constantina de				
	Rule Cite(s)	New Source Review 790, Special Condition	Permit ("NSRP") Nos. s No. 1, 30 Tex. Admir	., Special Terms and Con 19930, PSD-TX-797M1, a 1. Code §§ 101.20(3), 11 Safety Code § 382.085(b	nd PSD-TX- 6.115(c), and	
Violatio	n Description	3,049.01 pounds ("I butane, and 30.27 lbs avoidable emissions er and lasted one hour ar that developed on a could have been a properly reported,	lbs") of propylene, 1,21 s of ethane from a pun vent (Incident No. 146 nd ten minutes. This e seal flush line on Pum voided through better	Specifically, the Respond 02.31 lbs of propane, 43. np in the North Storage U 803) that began on Octomissions event was the r p P-704. Since this emis maintenance practices arounded from asserting annin. Code § 101.222.	25 lbs of n- Init during an ber 30, 2010, esult of a leak isions event nd was not	
				i	Base Penalty	\$10,000
>> Environme OR >>Programma	Release Actual Potential		rm	Percent 2!	5%	
•>Fiugranina	Falsification	Major Mode	erate M inor		*	
				Percent (0%	
Matrix Notes	Human healtl did not exce	n or the environment ha ed levels protective of	as been exposed to an human health or envir violation.	insignificant amount of ponmental receptors as a in Adjustment	ollutants that result of the \$7,500	
•						\$2,500
/iolation Even	ts					
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		dally weekly				
		monthly				
	mark only one with an x	quarterly x		Violation I	Base Penalty	\$2,500
	WILLI BIL X	semiannual				
		annual				
		single event				
		One o	arterly event is recom	mended		
		One qu	iorecry event is recon-			
Good Faith Effe			0.0% Reduction			\$250
3000 Faith Eili	urts to Com	Before	The state of the s	lement Offer	L	YES.
		Extraordinary				
		Ordinary	i x			
		N/A	(mark with x)			
		Notaci	Section 1. Control of the section of	d corrective measures on	no in the second	
		Mar	un 23, 2011, aitei the	February 28, 2011 NOE.		
				Violat	tion Subtotal	\$2,250
Economic Bene	efit (EB) for	this violation		Statutory Li	mit Test	
especialistica esta esta esta esta esta esta esta est			420]			#C 135
	Estimat	ed EB Amount	\$30	Violation Final F	-	\$6,125
		Thi	is violation Final Ass	essed Penalty (adjuste	ed for limits)	\$6,125

	E	conomic	Benefit	Wo	rksheet		
Respondent	Enterprise Pro	ducts Operating I	LLC				
Case ID No.	41335					5.14	
Rea. Ent. Reference No.	RN102323268					3 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	
Media	Air					Wassaud Tabasad	Years of
Violation No.	1					Percent Interest	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$						
		300000000000000000000000000000000000000		39930988888383			
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System		<u> </u>		0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal		<u> </u>		0.00	\$0	n/a	\$0
Permit Costs		<u> </u>	23-Mar-2011	0.00	\$0 *20	n/a	\$0
Other (as needed)	\$1.500	I 30-OCC-ZUIU	1 73-Mat-5011	0.39	\$30	l n/a l	\$30
Notes for DELAYED costs	555555555555555		the emissions e	vent. 1	The Final Date is t	le additional inspect ne date that correcti	::::::::::::::::::::::::::::::::::::::
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Avoided Costs	ANNUAL	IZE [1] avoided	costs before	enterir	ng item (except	for one-time avoid	led costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)		I	L	0.00	\$0	\$0 l	\$0
Notes for AVOIDED costs							
E							

• The state of the	ate 30-Mar-2011	Docket No. 2011-0429-AIR-E	PCW
Case ID I	ent Enterprise Products Operating I	ELC	Policy Revision 2 (September 2002) PCW Revision October 30, 2008
Reg. Ent. Reference I	Vo. RN102323268		as a state of the
Media (Statu			
Ent. Coordina Violation Num	tor Rebecca Johnson ber 2		
Rule Cite	e(s)	201(c) and Tex. Health & Safety Code § 38	2 085(b)
·	30 Tex. Adrilli. Code g 1012	zor(e) and rex. Head i & Salety Code § 30	
Violation Descript	end of the emissions event. S	d for Incident No. 146803 within two week pecifically, the emissions event ended on O final record was not submitted until Nover 2010 at 3:30 p.m.	ctober 30,
		Bas	se Penalty \$10,000
>> Environmental, Pro	perty and Human Health M	atrix	
Rele	Harm ase Major Moderate	Minor	
OR Ac	tual		•
Poter	ıtial	Percent 0%	
>>Programmatic Matri			
Falsificati	on Major Moderate	Minor X Percent 1%	
Matrix	The Respondent met at le	east 70% of the rule requirement.	
Notes			
		Adjustment	\$9,900
		AUJU-54MCTIS	
			\$100
Violation Events			
Number	of Violation Events 1	6 Number of violation	days
		Production of the state of the	•
	daily weekly		
mark only o	monthly		, ,
with an >		Violation Bas	e Penalty \$100
	annual		-
	single event <u>x</u>		***
	One single ev	ent is recommended.	
<u> </u>			
Good Faith Efforts to Co		eduction OV to EDPRP/Settlement Offer	1 \$0
	Extraordinary		
COLONIC COLONI	Ordinary x (m	nark with x)	
· ·		nt does not meet the good faith criteria for	
	Notes	this violation.	
Store and a shadely			
de constante de la constante d		Violation	Subtotal \$100
Economic Benefit (EB)	for this violation	Statutory Limit	t Test
Estir	nated EB Amount	\$79 Violation Final Pen	alty Total \$255
		tion Final Assessed Penalty (adjusted f	
	ins viola	uon rina Assesseu Fendity (dujustea i	or mines) \$233

	E(conomic	Benefit	Wo	rksheet		
Respondent	Enterprise Pro	ducts Operating L	LC		4.0		e Meteri
Case ID No.	41335						
lea. Ent. Reference No.	RN102323268					######################################	
Media	Air					Percent Interest	Years of
Violation No.	2					r ercein amerese	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description							
**************************************				*********			
Delayed Costs		, 		1		T +0 1	*0
Equipment		<u> </u>		0.00	\$0 \$0	\$0 \$0	\$0 \$0
Buildings				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Other (as needed)		 		0.00	\$0 \$0	\$0	\$0 \$0
Engineering/construction				0.00	\$0 \$0	n/a	\$0 \$0
Land				0.00	\$0 \$0	n/a	\$0 \$0
Record Keeping System	\$1.500	13-Nov-2010	2-Dec-2011	1.05	\$79	n/a	\$79
Training/Sampling Remediation/Disposal	<u></u>	12-1404-5010	A DEC ZOLL	0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
	Fstimated ex	oense to impleme	nt training mea	sures a	and procedures de	signed to ensure tha	at final records
Notes for DELAYED costs	for emissions	events are subm	ltted within two	weeks	. The Date Requi	signed to ensure the red is the date the fi tive measures will b	nal record was
	for emissions due to be si	events are subm ubmitted. The Fir	itted within two hal Date is the p	weeks rojecte	. The Date Requi	red is the date the fi tive measures will b	nal record was e completed.
Avoided Costs	for emissions due to be si	events are subm ubmitted. The Fir	itted within two hal Date is the p	weeks rojecte	. The Date Requi	red is the date the fi	nal record was e completed.
	for emissions due to be si	events are subm ubmitted. The Fir	itted within two hal Date is the p	weeks rojecte enterii	. The Date Requi ed date that correc ng item (except	red is the date the fi tive measures will b for one-time avoid	nal record was e completed. led costs)
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Avoided Costs Disposal Personnel	for emissions due to be si	events are subm ubmitted. The Fir	itted within two hal Date is the p	weeks rojecte enterii 0.00	. The Date Required date that correcting item (except \$0 \$0	red is the date the fi tive measures will b for one-time avoid \$0 \$0	nal record was e completed. led costs) \$0 \$0
Avoided Costs Disposal Personnel nspection/Reporting/Sampling	for emissions due to be si	events are subm ubmitted. The Fir	itted within two hal Date is the p	weeks rojecte enterii 0.00 0.00	The Date Required date that correcting item (except \$0 \$0 \$0	red is the date the fi tive measures will b for one-time avoid \$0 \$0 \$0	nal record was e completed. led costs) \$0 \$0 \$0
Avoided Costs Disposal Personnel aspection/Reporting/Sampling Supplies/equipment	for emissions due to be si	events are subm ubmitted. The Fir	itted within two hal Date is the p	weeks rojecte enterii 0.00 0.00 0.00	The Date Required date that correcting item (except \$0 \$0 \$0 \$0	red is the date the fittive measures will b for one-time avoid \$0 \$0 \$0 \$0 \$0	nal record was e completed. led costs) \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel aspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	for emissions due to be si	events are subm ubmitted. The Fir	itted within two hal Date is the p	enterii 0.00 0.00 0.00 0.00	The Date Required date that correcting item (except \$0 \$0 \$0 \$0 \$0 \$0 \$0	red is the date the fittive measures will b for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0	nal record was e completed. led costs) \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	for emissions due to be si	events are subm ubmitted. The Fir	itted within two hal Date is the p	weeks rojecte enterii 0.00 0.00 0.00 0.00 0.00	The Date Required date that correcting item (except \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	red is the date the fittive measures will b for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	nal record was e completed. led costs) \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	for emissions due to be si	events are subm ubmitted. The Fir	itted within two hal Date is the p	weeks rojecte enterii 0.00 0.00 0.00 0.00 0.00	The Date Required date that correcting item (except \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	red is the date the fittive measures will b for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	nal record was e completed. led costs) \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	for emissions due to be si	events are subm ubmitted. The Fir	itted within two hal Date is the p	weeks rojecte enterii 0.00 0.00 0.00 0.00 0.00	The Date Required date that correcting item (except \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	red is the date the fittive measures will b for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	nal record was e completed. led costs) \$0 \$0 \$0 \$0 \$0 \$0

Screening Date 3	0-Mar-2011 Docket No. 2011-0429-AIR-E	PCW
		Revision 2 (September 2002)
Case ID No. 4 Reg. Ent. Reference No. F		W Revision October 30, 2008
Media [Statute]		
Enf. Coordinator		9 1
Violation Number	3	
Rule Cite(s)	FOP No. 01641, Special Terms and Conditions No. 9, Standard Permit Registrat	lon l
	No. 87477, General Conditions, 30 Tex. Admin. Code §§ 116.115(b)(2)(F), 116.615(2), and 122.143(4), and Tex. Health & Safety Code § 382.085(b)	
	Failed to prevent unauthorized emissions. Specifically, the Respondent release	ed
	11,593.73 lbs of propane from a gasket on the Depropanizer Column Reboller furing an emissions event (Incident No. 146894) that began on November 1, 20	
Violation Description	and lasted six hours. This emissions event was the result of a leak that develop	
	when a gasket failed due to thermal expansion. Since the Respondent failed t submit a final record, the Respondent is precluded from asserting an affirmative	
	defense under 30 Tex. Admin. Code § 101.222.	
THE STATE OF THE S	Base Pen	alty \$10,000
>> Environmental, Propert	y and Human Health Matrix	
	Harm	Andrew
Release Actual	Major Moderate Minor	
Potential	Percent 50%	·
>>Programmatic Matrix		Quadrium
Falsification	Major Moderate Minor	
	Percent 0%	***************************************
Human health	or the environment has been exposed to a significant amount of pollutants that	did
electronic control of the control of	levels protective of human health or environmental receptors as a result of the	
	violation.	
	Adjustment \$5,	000
		\$5,000
Violation Events		
Number of Vi	olation Events 1 Number of violation days	
	daily	
	weekly	
mark only one	monthly x quarterly Violation Base Pena	alty \$5,000
with an x	semiannual	
	annual single event	
	511 (1.5 × 1.18)	
	One monthly event is recommended.	1
	Unc motion, even a recommended	
Good Faith Efforts to Comp	V 0.0% Reduction	\$0
Good Faith Enoits to Comp	Before NOV NOV to EDPRP/Settlement Offer	
	extraordinary	***************************************
ининини	Ordinary N/A x (mark with x)	
· · · · · · · · · · · · · · · · · · ·	The Respondent does not meet the good faith criteria for	
	Notes this violation.	
	Violation Subto	otal \$5,000
Economic Benefit (EB) for I	his violation Statutory Limit Test	
Fetimata	d EB Amount \$82 Violation Final Penalty To	otal \$12,750
Latinate	Land parameter and the second	
	This violation Final Assessed Penalty (adjusted for lim	its) \$10,000

	E	conomic	Benefit	Wo	rksheet		
		ducts Operating L	LC	0.0000000000000000000000000000000000000	e de la compansión de l		
Case ID No.							
Rea. Ent. Reference No.							
Media						Percent Interest	Years of
Violation No.	3				-		Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$						
				0143450036300	000000000000000000000000000000000000000		
Delaved Costs	,			1 6 66	- 40	+0	+0
Equipment				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Buildings Other (as needed)				0.00	50 \$0	\$0	\$0 \$0
Engineering/construction				0.00	\$0	<u>\$0</u>	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$1,500	14-Nov-2010	2-Dec-2011	1.05	\$79	n/a	\$79
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$250	14-Nov-2010	10-Feb-2011	0.24	\$3	n/a l	\$3
Notes for DELAYED costs	was reported to be sub	in the initial notifi mitted. The Fina	cation. The Da Date is the pro	te Requ ojected	iired is the date t date that correct	the information difference the earliest final live measures will be as were submitted by	record was due completed
Avoided Costs	ANNUAL	IZE [1] avoided	costs before	enteri	ng item (except	for one-time avoid	led costs)
Disposal				0.00		\$0	\$0
Personnel				0.00	\$ 0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]		ļ	**********	0.00		\$0	\$0
ONE-TIME avoided costs [3]		<u> </u>		0.00	\$0 \$0	\$0 \$0	\$0 \$0
Other (as needed)		J		10.00	1 30	J	30
Notes for AVOIDED costs							
Approx. Cost of Compliance		\$1,750			TOTAL		\$82

Screening Date	30-Mar-2011 Docket No. 2011-0429-AIR-E	PCW
	Enterprise Products Operating LLC	Policy Revision 2 (September 2002)
Case ID No.		PCW Revision October 30, 2008
Reg. Ent. Reference No.		
Media [Statute]		
Enf. Coordinator		**************************************
Violation Number		
Rule Cite(s)	30 Tex. Admin. Code § 101.201(c) and Tex. Health & Safety Code §	382 085/h)
	30 Tex. Admir. Code y Torrzotto and Tex. Hediot & Selety Code y	JO2-005(0)
	- 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	
	Failed to submit a final record for Incident Nos. 146894 and 148850. final records were required to be submitted for these emissions events	
Violation Description	determined that the actual quantity of emissions and/or duration differ	
	quantity that was reported in the initial notifications.	
		5.0909.555.888888888888
		lase Penalty \$10,000
	·	425/000
>> Environmental, Proper	ty and Human Health Matrix	
	Harm	-
Release	Major Moderate Minor	
OR Actual		
Potential	Percent 0	%
 		e de la constanta de la consta
>>Programmatic Matrix Falsification	Major Moderate Minor	ANT
rasilication		%
<u>Lineanium </u>	dissiliance dimensional dimensional distribution of the contraction of	
Teachers and the second	en masteratu. Nain masterimen municulum nainum aasaa saas saas saas saas saas saas s	
Matrix	The Respondent met at least 70% of the rule requirement.	
Notes	The Respondent metal icase 70 % of the rail requirement.	
<u>L</u>		
	Adjustment	\$9,900

		\$100
Violation Events		
N ban of)	/iolation Events 2 124 Number of violati	on days
Number of	/iolation Events 2 124 Number of violati	on days
	daily	
	weekly	
	monthly monthly	
mark only one		lase Penalty \$200
with an x	semiannual	
	annual	
	single event	
	Processing the second s	
	Two single events are recommended.	
		ISBN 1-10-1-18-18-18-18-18-18-18-18-18-18-18-18-1
	• • • • • • • • • • • • • • • • • • • •	40
Good Faith Efforts to Com		\$0
	Before NOV NOV to EDPRP/Settlement Offer	Property
	Extraordinary	Partition
	Ordinary	THE PARTY OF THE P
	N/A x ((mark with x)	· ·
	The Respondent does not meet the good faith criteria fo	or
	Notes this violation.	
	Walne	ion Subtotal \$200
	Violat	1011 3 01101 \$200
Economic Benefit (EB) for	this violation Statutory Lir	nit Test
		<u> </u>
Estimat	ed EB Amount \$0 Violation Final P	enalty Total \$510
	political and a second of the	45-11-11-1
	This violation Final Assessed Penalty (adjuste	d for limits) \$510

	E	conomic	Benefit	Wo	rksheet		
Respondent	Enterprise Pro	ducts Operating L	LC	RBORK HAR STONY OF		:	***************************************
Case ID No.	41335						
leg, Ent. Reference No.	RN102323268	r 25	· · · · · · · · · · · · · · · · · · ·			14 g 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	
Media	Air					Percent Interest	Years of
Violation No.	4			cate to consider a second			Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$						
				000000000000000000000000000000000000000			
Delayed Costs							
Equipment	150			0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)		1		0.00	\$0	n/a	\$0
Notes for DELAYED costs	ANNUAL				tion is included in	Violation No. 3. for one-time avoi	ded costs)
Avoided Costs Disposal		I I	COSCS #C.O.C	0.00	\$0	\$0	\$0
Personnel		 		0.00	\$0	\$0	\$0
nspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment		†		0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
Approx. Cost of Compliance		\$0			TOTAL		\$0

Screening Date		PCW
7		on 2 (September 2002)
Case ID No. Reg. Ent. Reference No.		ision October 30, 2008
Media [Statute]		
Enf. Coordinator		
Violation Number	######################################	n-comme
Rule Cite(s)	30 Tex. Admin. Code 9 101.201(a)(1)(b) and Tex. Health & Salety Code 9	SSC PARAMETER.
WANTE	382.085(b)	ria riceman
	Failed to report emissions events that exceeded a reportable quantity. Specifically,	8: a 20000
	a review of the Respondent's recordable emissions event records indicated that	on the same of the
Violation Description	emissions events that occurred on April 25, 2008, August 3, 2008, October 9, 2008,	
	November 5, 2008, November 10, 2008, and September 16, 2009 exceeded a reportable quantity, and the emissions events were not reported to the TCEQ.	nonum
	Base Penalty	\$10,000
		710/000
>> Environmental, Proper	ty and Human Health Matrix Harm	· ·
Release	Major Moderate Minor	annerox xx
OR Actual		W
Potential	Percent 0%	. Distriction in the control of the
>>Programmatic Matrix		becommended to
Falsification	Major Moderate Minor	WA WILLIAM
	X Percent 25%	de de la companya de
		na punkan
Matrix Notes	The Respondent failed to meet 100% of the rule requirement.	
Notes		***************************************
	Adjustment \$7,500	
	70/25	
and the second s		\$2,500
Violation Events		
Number of N	/iolation Events 6 Number of violation days	
Number of	rollation Events and violation days	
	daily Hillianner 12	46
	weekly monthly monthly	
mark only one	quarterly Violation Base Penalty	\$15,000
with an x	semiannual	
	annual secretarions in	vattition
	single event x	deleterm
		Armini de la companya
	Six single events are recommended.	
Good Faith Efforts to Com		\$0
voide de la constant	Before NOV NOV to EDPRP/Settlement Offer Extraordinary	
onnumos .	Ordinary	
VARIOUS	N/A (mark with x)	
	The Respondent does not meet the good faith criteria for	-
and the same of th	Notes this violation.	
		-
	Violation Subtotal	\$15,000
Economic Benefit (EB) for	this violation Statutory Limit Test	
	ed EB Amount \$540 Violation Final Penalty Total	\$38,250
ESUMAC		
	This violation Final Assessed Penalty (adjusted for limits)	\$38,250

	E	conomic	Benefit	Wol	rksheet		
Respondent Case ID No.	,	ducts Operating L	LC				
leg. Ent. Reference No.		1					
Media	Air					Percent Interest	Years of
Violation No.	5					reitent literest	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$						
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$1.500	26-Apr-2008	2-Dec-2011	3.60	\$270	n/a	\$270
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$1.500	26-Apr-2008		3.60	\$270	n/a training measures a	\$270
Notes for DELAYED costs	Required is	s the date that the projecte	earliest emissed date that co	ions eve rective	ent was due to be measures will be		Date is the
Avoided Costs	ANNUAL	IZE [1] avoided	costs before	enterin	g item (except	for one-time avoid	ed costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
nspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]		<u> </u>		0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)		11		1 0.00 1	\$0	\$0 l	\$0
Notes for AVOYDED and							
Notes for AVOIDED costs					2.00		

Screening Date Respondent Case ID No.	Enterprise Products Operating LLC	•	PCW on 2 (September 2002) ision October 30, 2008
Reg. Ent. Reference No. Media [Statute] Enf. Coordinator Violation Number	RN102323268 Air	i interference (in interference) Territorio de la companya de la c	
Rule Cite(s)	FOP No. 01641, General Terms and Conditions, 30 Te and 122.145(2)(A), and Tex. Health & Safet		
Violation Description	Failed to report all instances of deviations. Speci reportable emissions events were documented to have 2009 through December 12, 2009, December 13, 200 June 13, 2010 through December 12, 2010 reporting reported as deviations in the semi-annual	e occurred during the June 13, 19 through June 12, 2010, and g periods, and they were not	
		Base Penalty	\$10,000
>> Environmental, Proper	ty and Human Health Matrix Harm		
Release OR Actual	Major Moderate Minor		
Potential		Percent 0%	
>>Programmatic Matrix Falsification	Major Moderate Minor		TO DESCRIPTION OF THE PARTY OF
		Percent 1%	
Matrix Notes	The Respondent met at least 70% of the rule rec	quirement.	
	Adj	ustment \$9,900	
Violation Events			\$100
Number of V	/iolation Events 3 441	Number of violation days	
mark only one with an x	daily weekly monthly quarterly semiannual annual single event weekly monthly guarterly x	Violation Base Penalty	\$300
	Three single events are recommended for the three inc	omplete reports.	THE PERSON PROPERTY OF THE PERSON PROPERTY PROPERTY OF THE PERSON PROPERTY PROPERTY PROPERT
Good Faith Efforts to Com	O.0% Reduction Before NOV NOV to EDPRP/Settlement Offe Extraordinary Ordinary N/A x (mark with x) Notes The Respondent does not meet the go this violation.		\$0
	BRUSENBERGHUNG UND STEINER STEINER STEINE	Violation Subtotal	\$300
Economic Benefit (EB) for	this violation	Statutory Limit Test	
Estimate	ed EB Amount \$141	iolation Final Penalty Total	\$765
	This violation Final Assessed P	enalty (adjusted for limits)	\$765

	EC	conomic	Benetit	WU	rksneet		
Respondent	Enterprise Pro	ducts Operating L	LC				
Case ID No.	41335				25544		
a. Ent. Reference No.	RN102323268					And the second second	
Media	3						Years of
Violation No.	8					Percent Interest	Depreciation
Tiolude: ite.						5.0	1!
	Item Cost	Date Required	Final Date	Vrc	Interest Saved	Onetime Costs	EB Amount
Item Description							
Delaved Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$1,500	13-Jan-2010	2-Dec-2011	1.88	\$141	n/a	\$141
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0,00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a l	\$0
Notes for DELAYED costs			rted as deviation			ne earliest date that projected date that	
Avoided Costs	ANNUAL	ZE [1] avoided		es will l	oe completed.	for one-time avoid	
Avoided Costs Disposal	ANNUAL	ZE [1] avoided		es will l enterin	ng item (except	for one-time avoid	ed costs)
Avoided Costs Disposal Personnel	ANNUAL	ZE [1] avoided		es will b enterir 0.00	ng item (except \$0	\$0	ed costs) \$0
Disposal Personnel	ANNUAL	ZE [1] avoided		es will 1 enterir 0.00 0.00	ng item (except \$0 \$0	\$0 \$0	ed costs) \$0 \$0
Disposal Personnel	ANNUAL	ZE [1] avoided		es will b enterir 0.00	ng item (except \$0	\$0	ed costs) \$0
Disposal Personnel spection/Reporting/Sampling	ANNUAL	ZE [1] avoided		es will be nterir 0.00 0.00 0.00	\$0 \$0 \$0 \$0	\$0 \$0 \$0	ed costs) \$0 \$0 \$0
Disposal Personnel spection/Reporting/Sampling Supplies/equipment	ANNUAL	ZE [1] avoided		nterir 0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0	ed costs) \$0 \$0 \$0 \$0 \$0
Disposal Personnel spection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	ANNUAL	ZE [1] avoided		o.00 0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0
Disposal Personnel spection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	ANNUAL	ZE [1] avoided		nterir 0.00 0.00 0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0	ed costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

Screening Date	30-Mar-2011	Docket No. 2011-0429-A	IR-E	PCW
	Enterprise Products Operatin	ig LLC	=	(September 2002)
Case ID No.			PCW Revision	October 30, 2008
Reg. Ent. Reference No. Media [Statute]			enter de la companya	
Enf. Coordinator				serve . [
Violation Number	78888		,	
Rule Cite(s)	30 Tex. Admin. Code § 10	1.201(f) and Tex. Health & Safety Code	៖ § 382.085(b)	
Violation Description	the Exit Interview Form d emissions events that occu	information at the request of the TCEQ ated January 13, 2011, emissions calculated on January 21, 2010, February 2, be submitted by February 2, 2011, and have not been submitted.	lations for the 2010, and June	
			Base Penalty	\$10,000
>> Environmental, Proper	tv and Human Health	Matrix		
	Harm			***************************************
Release OR Actual	Major Moderate	Minor		
Potential		Percent	0%	
>>Programmatic Matrix	Madaga Madagaba	Minar		***************************************
Falsification	Major Moderate	Minor Percent	1%	
11111111111111111111111111111111111111	<u> </u>	I Ci Com		
Matrix	The Respondent met a	t least 70% of the rule requirement.		
Notes				
-			<u> </u>	
		Adjustment	\$9,900	
				\$100
Violation Events				-
	3	56 Number of vic	olation days	6
	<u> </u>	the state of the s	•	
mark only one with an x	daily weekly monthly quarterly semiannual	Violatio	on Base Penalty	\$300
	annual single event x			
	Three single events are recor	nmended for the three sets of calculatio	ıns.	And agreement has the
Good Faith Efforts to Com	nhe 0.000	Reduction		\$0
Good Faith chorts to com	Before NOV	NOV to EDPRP/Settlement Offer	<u> </u>	70
	Extraordinary			
	Ordinary			
	N/A x	(mark with x)		
	Notes The Respon	dent does not meet the good faith criter this violation.	ia for	иницифиниифини
		<u> </u>	olation Subtotal	\$300
				\$300
Economic Benefit (EB) for			Limit Test	1767
Estimat	ed EB Amount		al Penalty Total	\$765
	This vi	olation Final Assessed Penalty (adju	isted for limits)	\$765

Case ID No.	Enterprise Pro 41335	CONOMIC ducts Operating L	49888888888888888888888888	Wo	rksheet		
eg. Ent. Reference No. Media	Air					Percent Interest	Years of Depreciation
Violation No.	1					ا م	
		A.1. A	Figure Bassa	·	Interest Saved	5.0	15 EB Amount
Item Description		Date Required	Final Date	115	Interest Saveu	Onetime Costs	EB AIIIUUIIL
acciii besa ipuoii	iio commos or 4						
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,			0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	<u>\$0</u>
Land		<u> </u>		0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$1.500	2-Feb-2011	2-Dec-2011	0.83	\$62	u/a	\$62
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs Other (as needed)	\$750	2-Feb-2011	2-Dec-2011	0.00	\$0 \$31	n/a n/a	\$0 \$31
Notes for DELAYED costs	procedures de established	esigned to ensure time frame. The	that additional Date Required	inform s the c	ation requested by late that the emiss	nd to implement me the TCEQ is submi ilons calculations we neasures will be con	tted within the ere due to be
Avoided Costs	ΑΝΝΙΙΔΙ	IZE [1] avoided	costs before	nterii	na item (except i	or one-time avoid	led costs)
Avolucu Costs Disposal				0.00	\$0	\$0	\$0
Personnel		1		0.00	5 0	\$0	\$0
pection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment	. 1111111111111111111111111111111111111	31832223133333333333		0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
Approx. Cost of Compliance		\$2,250			TOTAL		\$93

Screening Date		IR-E PCW
Respondent Case ID No.	Enterprise Products Operating LLC	Policy Revision 2 (September 2002)
Reg. Ent. Reference No.		PCW Revision October 30, 2008
Media [Statute]	Air	#10 P
Enf. Coordinator		SECTION OF THE SECTIO
Violation Number Rule Cite(s)		5859Z38329GMPHHHHHH
Kule Cite(s)	FOP No. O1641, Special Terms and Conditions No. 9, NSRP No. Conditions, 30 Tex. Admin. Code §§ 116.115(b)(2)(F) and 122.14 Health & Safety Code § 382.085(b)	
Violation Description	Failed to prevent unauthorized emissions. Specifically, the Respo 22,151.69 lbs of unauthorized volatile organic compounds from a butane line for the West Texas Fractionator II during an emissions No. 148850) that began on December 27, 2010, and lasted sixtee emissions event was the result of a leak that developed when a we the valve to detach from the line. Since this emissions event wa reported, the Respondent is precluded from asserting an affirmative 30 Tex. Admin. Code § 101.222.	bleed valve on a event (Incident n minutes. This ld failure caused s not properly
		Base Penalty \$10,000
		-
>> Environmental, Proper Release	y and Human Health Matrix Harm Major Moderate Minor	
OR Actual Potential	Percent	50%
>>Programmatic Matrix		TANANA NA N
Falsification	Major Moderate Minor	0%
	Percent	<u> </u>
	or the environment has been exposed to a significant amount of poor is levels protective of human health or environmental receptors as a violation.	
	Adjustment	\$5,000
		\$5,000
Violation Events		
·	Number of vio	plation days
mark only one	daily SECTION OF THE PROPERTY OF THE PROPERTY CONTROL OF THE PROPERTY OF T	on Base Penalty \$5,000
with an x	semiannual annual single event	To continue to the continue to
	One monthly event is recommended.	The second secon
Good Faith Efforts to Comp	ily 0.0% Reduction	\$0
	Before NOV NOV to EDPRP/Settlement Offer Extraordinary	шининин
	Ordinary (mark with x)	
	Notes The Respondent does not meet the good faith criter this violation.	ia for
	Vic	elation Subtotal \$5,000
Economic Benefit (EB) for	this violation Statutory	Limit Test
Estimate		ni Penalty Total \$12,750
	This violation Final Assessed Penalty (adju	
	rins violation Fillal Assesseu Fellally (adju	sted for limits) \$10,000

· · · · · · · · · · · · · · · · · · ·	E	conomic	Benefit	WO	rksneet		
Respondent	Enterprise Pro	ducts Operating L	LC	>0000		98000 1000 2000 2000 2000 2000 1000 1000	
Case ID No.							
ea, Ent. Reference No.						A TENNETH OF THE	
Media			•				Years of
Violation No.	33					Percent Interest	Depreciation
Violation No.	. 0					5.0	. 15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	I No commas or \$						
Delaved Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	<u>\$0</u>
Engineering/construction				0.00	\$0	\$0	\$0
Land		ļ		0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	<u>\$0</u>
Training/Sampling				0.00	\$0	n/a	<u>\$0</u>
Remediation/Disposal		<u> </u>		0.00	\$0	n/a	\$0 *0
Permit Costs Other (as needed)		 		0.00	\$0 \$0	n/a n/a	\$0 \$0
Notes for DELAYED costs		Economic	benefit for this	Violatio	on is included in Vi	olation No. 9.	
Notes for DELAYED costs Avoided Costs	ANNUAL			enterir	ng item (except	for one-time avoid	
Avoided Costs	ANNUAL			enterin 0.00	ng item (except	for one-time avoid	\$0
Avoided Costs Disposal Personnel	ANNUAL			0.00 0.00	ng item (except \$0 \$0	for one-time avoid \$0 \$0	\$0 \$0
Avoided Costs Disposal Personnel pection/Reporting/Sampling	ANNUAL			enterir 0.00 0.00 0.00	ng item (except \$0 \$0 \$0	for one-time avoid \$0 \$0 \$0 \$0	\$0 \$0 \$0
Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment	ANNUAL			0.00 0.00 0.00 0.00	ng item (except \$0 \$0 \$0 \$0	for one-time avoid \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Spection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	ANNUAL			0.00 0.00 0.00 0.00 0.00	ng item (except \$0 \$0 \$0 \$0 \$0 \$0	for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel pection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	ANNUAL			0.00 0.00 0.00 0.00 0.00 0.00	s0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel pection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	ANNUAL			0.00 0.00 0.00 0.00 0.00	ng item (except \$0 \$0 \$0 \$0 \$0 \$0	for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel pection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	ANNUAL			0.00 0.00 0.00 0.00 0.00 0.00	s0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel pection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	ANNUAL			0.00 0.00 0.00 0.00 0.00 0.00	s0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	ANNUAL			0.00 0.00 0.00 0.00 0.00 0.00	s0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	ANNUAL			0.00 0.00 0.00 0.00 0.00 0.00	s0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	ANNUAL			0.00 0.00 0.00 0.00 0.00 0.00	s0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Aspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	ANNUAL			0.00 0.00 0.00 0.00 0.00 0.00	s0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0

Screening Date			No. 2011-0429-AIR-E		PCW
	Enterprise Products Opera	ting LLC			2 (September 2002)
Case ID No. Reg. Ent. Reference No.				PCW Revisio	on October 30, 2008
Media [Statute]					unumunu
Enf. Coordinator					-
Violation Number	9				
Rule Cite(s)	30 Tex. Admin. Code	§ 101.201(a)(1)(B) at 382.085(b)	nd Tex. Health & Safety	Code §	
	Failed to submit the init	ial notification for Inci-	dent No. 148850 within	24 hours	
Violation Description	Specifically, the emission P.M., however, the initial in	ns event was discover	ed on December 27, 20	10 at 2:30	
			В	ase Penalty	\$10,000
>> Environmental, Proper		h Matrix			
Release	Harm Major Moderate	e Minor			
OR Actual				_	at carries
Potential			Percent 0	%	
>>Programmatic Matrix					
Falsification	Major Moderate	e Minor	·		***************************************
		X	Percent 1	%	ace acceptance
1500 100 100 100 100 100 100 100 100 100				State (sumpless)	
Matrix	The Respondent met	at least 70% of the ru	ile requirement.		
Notes					
			Adjustment	\$9,900	and the second s
			Aujustment	\$9,500	
					\$100
Violation Events					
	<u></u>				
Number of \	Violation Events 1	1	Number of violation	on days	
NO. ANTENNESS AND ANTENNESS AN	daily				
	weekly				
mark only one	monthly		Violation D	aco Bonalty	\$100
with an x	quarterly semiannual		Violation B	ase Penalty	\$100
	annual				
	single event x				
The second secon	One sing	le event is recommend	ded.		Octobromen and a second a second and a second a second and a second a second and a second and a second and a
					, coco
Good Faith Efforts to Com	nlv 0.0'	% Reduction			\$0
Good I ann Chord to com	Before NO\		ent Offer		
100 mm	Extraordinary				***************************************
decement	Ordinary	7 - 1 - 21 - 3	<u> </u>		83 1 1 2 W 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
one of the state o	N/A <u>x</u>	(mark with x)		7	n i wa
	Notes The Respo	indent does not meet t this violatio	the good faith crit <mark>eria f</mark> o	*	Yrakhan ra
·		CIIS VIOIAU	uii.		and the state of t
			Violati	on Subtotal	\$100
		OUOUNE CITOR O OFFICE OF THE CONTRACT OF THE C			7.50
Economic Benefit (EB) for	this violation		Statutory Lin	nit Test	
Estimate	ed EB Amount	\$70	Violation Final Pe	enalty Total	\$255
- The second sec	3	violation Einal Acces	sed Penalty (adjusted	d for limite)	\$255
	INIS V	nviduvn FMdI ASSES	seu renaity (aujustei	. 101 mills)	\$2.03

	5 1	LUIIUIIIL	benent	440	rksheet		
Respondent	Enterprise Pro	ducts Operating L	.LC	n en		nen nummed de de constant de c	
Case ID No.	41335						
g. Ent. Reference No.	3 .					of the second second	
Media	3						Years of
Violation No.	9					Percent Interest	Depreciation
violation no.	-					5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$						
* T1 T2 T							
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	- n/a	\$0
Training/Sampling	\$1,500	28-Dec-2010	2-Dec-2011	0.93	\$70	n/a	\$70
Remediation/Disposal	<u> </u>			0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
							egipt kaland districted de grande and de men en en de
Other (as needed)	R 14 20 20 20 21 21 21 21 21 21 21 21 21 21 21 21 21			医乳腺性坏疽性 化二二烷		n/a designed to ensure	사고 아무네는 사고 아니는 아니는 아무네는 사람이 사고 아니는 사람이 없었다.
Notes for DELAYED costs	notifications initial notifical	for emissions eve tion was due to be	nts are submitt e submitted. Ti wi	neasur ed with ne Final II be co	es and procedures in 24 hours. The I Date is the proje mpleted.	s designed to ensure Date Required is the cted date that correc	that initial date that the tive measures
Notes for DELAYED costs Avoided Costs	notifications initial notifical	for emissions eve tion was due to be	nts are submitt e submitted. Ti wi	neasur ed with ne Final II be co enteri r	es and procedures in 24 hours. The I Date is the proje mpleted. ng item (except	s designed to ensure Date Required is the cted date that correc for one-time avoic	that initial date that the tive measures
Notes for DELAYED costs Avoided Costs Disposal	notifications initial notifical	for emissions eve tion was due to be	nts are submitt e submitted. Ti wi	neasur ed with ne Final II be co enterir 0.00	es and procedures in 24 hours. The I Date is the proje mpleted. ng item (except \$0	designed to ensure Date Required is the cted date that correct for one-time avoic \$0	that initial date that the tive measures led costs) \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel	notifications initial notifical	for emissions eve tion was due to be	nts are submitt e submitted. Ti wi	measured with he Final libe coentering 0.00 0.00	es and procedures in 24 hours. The I Date is the proje mpleted. ng item (except \$0 \$0	s designed to ensure Date Required is the cted date that correct for one-time avoic \$0 \$0	that initial date that the tive measures fed costs) \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel pection/Reporting/Sampling	notifications initial notifical	for emissions eve tion was due to be	nts are submitt e submitted. Ti wi	measured with the Final II be coenterin 0.00 0.00 0.00	es and procedures in 24 hours. The Date is the proje mpleted. 19 item (except \$0 \$0 \$0	s designed to ensure Date Required is the cted date that correct for one-time avoic \$0 \$0 \$0 \$0	that initial date that the tive measures fed costs) \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment	notifications initial notifical	for emissions eve tion was due to be	nts are submitt e submitted. Ti wi	neasured with he Final libe coenterir 0.00 0.00 0.00 0.00	es and procedures in 24 hours. The I Date is the proje mpleted. 19 item (except \$0 \$0 \$0 \$0 \$0	designed to ensure Date Required is the cted date that correct for one-time avoic \$0 \$0 \$0 \$0 \$0	that initial date that the tive measures so \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel pection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	notifications initial notifical	for emissions eve tion was due to be	nts are submitt e submitted. Ti wi	neasured with he Final libe coenterir 0.00 0.00 0.00 0.00 0.00 0.00	es and procedures in 24 hours. The Date is the proje mpleted. 19 item (except \$0 \$0 \$0 \$0 \$0 \$0	designed to ensure Date Required is the cted date that correct for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	that initial date that the tive measures so
Avoided Costs Disposal Personnel pection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	notifications initial notifical	for emissions eve tion was due to be	nts are submitt e submitted. Ti wi	neasured with he Final libe coenterir 0.00 0.00 0.00 0.00	es and procedures in 24 hours. The I Date is the proje mpleted. 19 item (except \$0 \$0 \$0 \$0 \$0	designed to ensure Date Required is the cted date that correct for one-time avoic \$0 \$0 \$0 \$0 \$0	that initial date that the tive measures so so so so so so so so so
Avoided Costs Disposal Personnel pection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	notifications initial notifical	for emissions eve tion was due to be	nts are submitt e submitted. Ti wi	neasured with ne Final libe coenterir 0.00 0.00 0.00 0.00 0.00 0.00 0.00	es and procedures in 24 hours. The I Date is the proje impleted. 19 item (except \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$	designed to ensure Date Required is the cted date that correct for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	that initial date that the tive measures led costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	notifications initial notifical	for emissions eve tion was due to be	nts are submitt e submitted. Ti wi	neasured with ne Final libe coenterir 0.00 0.00 0.00 0.00 0.00 0.00 0.00	es and procedures in 24 hours. The I Date is the proje impleted. 19 item (except \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$	designed to ensure Date Required is the cted date that correct for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	that initial date that the tive measures led costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$
Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	notifications initial notifical	for emissions eve tion was due to be	nts are submitt e submitted. Ti wi	neasured with ne Final libe coenterir 0.00 0.00 0.00 0.00 0.00 0.00 0.00	es and procedures in 24 hours. The I Date is the proje impleted. 19 item (except \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$	designed to ensure Date Required is the cted date that correct for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	that initial date that the tive measures led costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$
Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	notifications initial notifical	for emissions eve tion was due to be	nts are submitt e submitted. Ti wi	neasured with ne Final libe coenterir 0.00 0.00 0.00 0.00 0.00 0.00 0.00	es and procedures in 24 hours. The I Date is the proje impleted. 19 item (except \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$	designed to ensure Date Required is the cted date that correct for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	that initial date that the tive measures led costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$
Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	notifications initial notifical	for emissions eve tion was due to be	nts are submitt e submitted. Ti wi	neasured with ne Final libe coenterir 0.00 0.00 0.00 0.00 0.00 0.00 0.00	es and procedures in 24 hours. The I Date is the proje impleted. 19 item (except \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	designed to ensure Date Required is the cted date that correct for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	that initial date that the tive measures led costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$
Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	notifications initial notifical	for emissions eve tion was due to be	nts are submitt e submitted. Ti wi	neasured with ne Final libe coenterir 0.00 0.00 0.00 0.00 0.00 0.00 0.00	es and procedures in 24 hours. The I Date is the proje impleted. 19 item (except \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	designed to ensure Date Required is the cted date that correct for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	that initial date that the tive measures led costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$

Compliance History

CN603211277 Customer/Respondent/Owner-Operator: Enterprise Products Operating LLC Classification: Rating: 2.27 **AVERAGE** RN102323268 ENTERPRISE MONT BELVIEU Classification: AVERAGE Regulated Entity: Site Rating: 3.98 COMPLEX ID Number(s): INDUSTRIAL AND HAZARDOUS WASTE **EPAID** TXT490013455 INDUSTRIAL AND HAZARDOUS WASTE **SOLID WASTE REGISTRATION #** 31038 (SWR) AIR OPERATING PERMITS **ACCOUNT NUMBER** CI0008R AIR OPERATING PERMITS **PERMIT** 1641 POLLUTION PREVENTION PLANNING **ID NUMBER** P00218 WASTEWATER **PERMIT** WQ0002940000 **WASTEWATER EPAID** TX0102326 4807100007 AIR NEW SOURCE PERMITS **AFS NUM** REGISTRATION 93154 AIR NEW SOURCE PERMITS AIR NEW SOURCE PERMITS REGISTRATION 93268 AIR NEW SOURCE PERMITS **PERMIT** 20698 REGISTRATION 52923 AIR NEW SOURCE PERMITS AIR NEW SOURCE PERMITS **ACCOUNT NUMBER** CI0008R AIR NEW SOURCE PERMITS **PERMIT** 76070 AIR NEW SOURCE PERMITS **PERMIT** 22105 5581 AIR NEW SOURCE PERMITS **PERMIT** AIR NEW SOURCE PERMITS **PERMIT** 22113 AIR NEW SOURCE PERMITS **PERMIT** 8418 AIR NEW SOURCE PERMITS REGISTRATION 71200 AIR NEW SOURCE PERMITS **PERMIT** 6798 AIR NEW SOURCE PERMITS PERMIT 8707 AIR NEW SOURCE PERMITS **PERMIT** 21945 AIR NEW SOURCE PERMITS REGISTRATION 53906 AIR NEW SOURCE PERMITS REGISTRATION 71649 AIR NEW SOURCE PERMITS **PERMIT** 19930 AIR NEW SOURCE PERMITS 72757 REGISTRATION AIR NEW SOURCE PERMITS REGISTRATION 5581A AIR NEW SOURCE PERMITS **PERMIT** 22114 AIR NEW SOURCE PERMITS REGISTRATION 74173 AIR NEW SOURCE PERMITS EPA ID PSDTX655 AIR NEW SOURCE PERMITS **EPAID** PSDTX790 AIR NEW SOURCE PERMITS PSDTX790M1 **EPAID** AIR NEW SOURCE PERMITS REGISTRATION 76748

AIR NEW SOURCE PERMITS

AIR NEW SOURCE PERMITS

EPAID

REGISTRATION

PSDTX1057

81083

AIR NEW SOURCE PERMITS	REGISTRATION	77678
AIR NEW SOURCE PERMITS	REGISTRATION	94065
AIR NEW SOURCE PERMITS	REGISTRATION	94067
AIR NEW SOURCE PERMITS	REGISTRATION	94133
AIR NEW SOURCE PERMITS	REGISTRATION	85755
AIR NEW SOURCE PERMITS	REGISTRATION	95777
AIR NEW SOURCE PERMITS	REGISTRATION	82841
AIR NEW SOURCE PERMITS	REGISTRATION	82781
AIR NEW SOURCE PERMITS	REGISTRATION	85477
AIR NEW SOURCE PERMITS	REGISTRATION	87477
STORMWATER	PERMIT	TXR05N205

05

AIR EMISSIONS INVENTORY

ACCOUNT NUMBER

CI0008R

Location:

TCEQ Region:

10207 FM 1942, MONT BELVIEU, TX, 77580

REGION 12 - HOUSTON

Date Compliance History Prepared:

May 31, 2011

Agency Decision Requiring Compliance History: Enforcement

Compliance Period:

May 31, 2006 to May 31, 2011

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name:

Rebecca Johnson

Phone:

(361) 825-3423

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period?

Yes

2. Has there been a (known) change in ownership/operator of the site during the compliance period?

No

- 3. If Yes, who is the current owner/operator? N/A
- 4. If Yes, who was/were the prior owner(s)/operator(s)? N/A
- 5. When did the change(s) in owner or operator occur? N/A
- 6. Rating Date: 9/1/2010 Repeat Violator: NO

Components (Multimedia) for the Site:

Final Enforcement Orders, court judgments, and consent decrees of the State of Texas and the federal government.

Effective Date: 06/26/2006

ADMINORDER 2005-1905-AIR-E

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to operate within permitted limits of Air New Source Permit 20698. The permitted limits were exceeded during a 45 minute period of time on March 19, 2005, with the following quantities:

164 lbs NOx, 328 lbs CO, and 1,135 lbs VOC.

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rgmt Prov: 5581, Special Condition 1 PERMIT

Description: Failed to operate within permitted limits of Air New Source Permit 5581. Zero emissions are authorized from the tank loading operations. Unauthorized emissions of propane (11,452 lbs) were

released over a 35 minute period of time on March 17, 2005.

Effective Date: 11/06/2008 Classification: Moderate ADMINORDER 2007-1162-AIR-E

Citation:

30 TAC Chapter 116, SubChapter B 116.116(a)(1)

30 TAC Chapter 116, SubChapter B 116.116(b)(1)(C)

5C THC Chapter 382, SubChapter D 382.085(b)

Rgmt Prov: NSR Permit 8707 Application Representati PERMIT

Description: Enterprise Products failed to maintain an emission rate below permit application

representations of 1.12 lbs/hr of VOCs.

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.116(a)(1)

30 TAC Chapter 116, SubChapter B 116.116(b)(1)(C)

5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: NSR Permit No. 6798 PERMIT

Description: Enterprise Products failed to maintain an emission rate below permit application

representations of 1.61 lbs/hr of VOCs.

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 116, SubChapter B 116.116(a)(1) 30 TAC Chapter 116, SubChapter B 116.116(b)(1)(C)

5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: No. 5581, Special Condition No.1 PERMIT

NSR Permit No. 5581, Application Reps. PERMIT

Description: Enterprise Products failed to maintain an emission rate below permitted limits of 0.13 lbs/hr.

Effective Date: 12/25/2010

ADMINORDER 2010-0821-AIR-E

Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter F 101.201(b)(1)(F)

30 TAC Chapter 101, SubChapter F 101.201(b)(1)(G)

5C THSC Chapter 382 382.085(b)

Description: Failed to accurately report the emissions of Incident No. 135653.

Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: SPECIAL CONDITION 1 OP

Description: Failed to prevent unauthorized emissions including 592 pounds of butenes by failing to

prevent the shutdown of a compressor during startup.

Effective Date: 03/19/2011

ADMINORDER 2010-1465-AIR-E

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter G 116.715(a)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition No. 1 PERMIT

Description: Failure to prevent unauthorized emissions specifically when liquid isobutene built up in the

Oleflex separation vessels. Classification: Minor

Citation:

30 TAC Chapter 101, SubChapter F 101.201(a)(2)(G)

5C THSC Chapter 382 382.085(b)

Description: Failure to comply with the reporting requirement.

B. Any criminal convictions of the state of Texas and the federal government.

N/A

Chronic excessive emissions events.

N/A

D. The approval dates of investigations. (CCEDS Inv. Track. No.)

1 08/16/2006 (457875)

2 08/18/2006 (484206)

3 09/01/2006 (484311)

- 4 09/01/2006 (485408)
- 5 08/07/2006 (485623)
- 6 08/17/2006 (497263)
- 7 06/21/2006 (504944)
- 8 01/25/2007 (509021)
- 9 07/05/2007 (510264)
- 10 01/18/2007 (512452)
- 11 11/29/2006 (518496)
- 12 08/17/2006 (527245)
- 13 09/22/2006 (527246)
- 14 05/04/2007 (531851)
- 15 12/29/2006 (534612)
- 16 12/29/2006 (534764)
- 17 03/22/2007 (543615)
- 18 03/22/2007 (543728)
- 19 10/23/2006 (551048)
- 20 12/04/2006 (551049)
- 21 12/22/2006 (551050)
- 22 05/11/2007 (560142)
- 23 05/15/2007 (560429)
- 24 06/28/2007 (563807)
- 25 07/27/2007 (567461)
- 26 09/14/2007 (570542)
- 27 08/09/2007 (571640)
- 28 10/04/2007 (572683)
- 29 02/22/2007 (587597)
- 30 03/23/2007 (587598)
- 31 04/24/2007 (587599)
- 32 05/21/2007 (587600)
- 33 06/22/2007 (587601)
- 34 01/23/2007 (587602)

35	07/23/2007	(605099)
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36 08/20/2007 (605100)
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- 37 09/26/2007 (605101)
- 38 01/25/2008 (615942)
- 39 10/23/2007 (628181)
- 40 11/28/2007 (628182)
- 41 12/20/2007 (628183)
- 42 05/17/2008 (656986)
- 43 03/24/2008 (676345)
- 44 01/24/2008 (676346)
- 45 08/01/2008 (684640)
- 46 08/04/2008 (687899)
- 47 02/22/2008 (694741)
- 48 04/18/2008 (694742)
- 49 05/22/2008 (694743)

(694744)

50 07/22/2008

- 51 02/17/2009 (703394)
- 52 12/08/2008 (709762)
- 53 06/24/2008 (716228)
- 54 08/21/2008 (716229)
- 55 09/23/2008 (716230)
- 56 03/13/2008 (726401)
- 57. 10/27/2008 (731749)
- 58 11/24/2008 (731750)
- 59 12/29/2008 (731751)
- 60 05/07/2009 (743316)
- 61 02/23/2009 (755140)
- 62 02/06/2009 (755141)
- 63 01/27/2009 (755142)
- 64 05/20/2011 (767479)

65	03/20/2009	(772268)
66	04/22/2009	(772269)
67	05/21/2009	(772270)
68	04/15/2010	(787086)
69	03/23/2010	(788999)
70	05/11/2010	(792698)
71	06/14/2010	(801826)
72	02/22/2010	(816816)
73	06/22/2009	(816817)
74	07/22/2009	(816818)
75	08/20/2009	(816819)
76	09/22/2009	(816820)
77	10/21/2009	(816821)
78	11/23/2009	(816822)
79	12/17/2009	(816823)
80	01/25/2010	(816824)
81	03/22/2010	(835122)
82	04/22/2010	(835123)
83	05/20/2010	(835124)
84	10/11/2010	(842599)
85	09/28/2010	(843218)
86	08/18/2010	(844085)
87	08/31/2010	(844336)
88	06/21/2010	(847567)
89	02/14/2011	(857784)
90	02/14/2011	(857796)
91	11/08/2010	(860369)
92	12/07/2010	(865930)
93	12/22/2010	(865931)
94	12/03/2010	(865932)
05	44/04/0040	(965022)

(865933)

95 11/24/2010

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(865935)
 96 12/29/2010
 97 12/22/2010
                  (865938)
                  (865940)
 98 11/22/2010
 99 09/28/2010
                  (868529)
100 08/23/2010
                  (868530)
101 09/22/2010
                  (875427)
102 03/15/2011
                  (878162)
103 02/28/2011
                  (880886)
104 10/21/2010
                  (882978)
105 11/29/2010
                  (889392)
                  (891827)
106 04/19/2011
107 03/01/2011
                  (892919)
108 03/07/2011
                  (894391)
109 02/11/2011
                  (895187)
110 12/20/2010
                  (897764)
111 02/24/2011
                  (900450)
112 01/24/2011
                  (903651)
113 04/06/2011
                  (908466)
                  (910546)
114 02/22/2011
115 04/18/2011
                  (912865)
116 05/13/2011
                  (915443)
117 03/21/2011
                  (917780)
118 05/17/2011
                  (920477)
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E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

Date: 05/31/2006 (504944)

Self Report? YES Classification:

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)

Description: Failure to meet the limit for one or more permit parameter

Date: 07/31/2006 (527245)

Self Report? YES Classification: Moderate

Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)

Description: Failure to meet the limit for one or more permit parameter

Date: 08/17/2006 (497263)

Self Report? NO Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)

NO. 76070, Special Condition No. 1 PERMIT

Description: Failed to prevent misaligned valves resulting in unauthorized emissions.

Date: 08/31/2006 (527246)

Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)

Description: Failure to meet the limit for one or more permit parameter

Date: 01/18/2007 (512452)

Self Report? NO Classification: Moderate

Citation: 19930, Special Condition 2F PERMIT

30 TAC Chapter 115, SubChapter D 115.354(2)(C) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)

5C THC Chapter 382, SubChapter A 382.085(b)

O-1641, Special Condition 1A OP O-1641, Special Condition 9 OP

Description: Control valve UV-2173 was not monitored during the second and third quarters of

2006

Date: 01/25/2007 (509021)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)

30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)

5C THC Chapter 382, SubChapter A 382.085(b)

FOP #O-01641, SC #1A OP FOP #O-01641, SC #9 OP NSR #19931, SC #7E PA

Description: Failure to seal 128 open-ended valves/lines per 30 TAC 115.352(4).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.219(c)(1)

30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)

FOP #0-01641, SC #1A OP

Description: Failure to submit the required report of the results of NOX testing per 30 TAC

117.219(c).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.219(f)(10) 30 TAC Chapter 122, SubChapter B 122.143(4)

5C THC Chapter 382, SubChapter A 382.085(b)

FOP #O-01641, SC #1A OP FOP #O-01641, SC #6E OP

Description: Failure to record the starting and ending times of the operation of stationary diesel

engines from June 13, 2005 through June 12, 2006.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)

30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)

FOP #O-01641, SC #1A OP

Description: Failure to record daily flare observations from June 13, 2005 through June 12,

2006 per 111.111(a)(4)(A)(ii).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter A 382.085(b)

FOP #O-01641, SC #9 OP NSR #20509, SC #11 PA

Description: Failure to perform daily sulfur content monitoring of Merox Off-Gas on June 13,

2005 per NSR #20509, SC #11.

Date: 02/28/2007 (587598)

Self Report? YES Classification: Moderate

Citation:

30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)

Description:

Failure to meet the limit for one or more permit parameter

Date: 05/31/2007

Self Report?

Classification: Moderate

Citation:

30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)

(587601)

(628182)

Description:

Failure to meet the limit for one or more permit parameter

Date: 07/31/2007 (605100)

Self Report?

Classification: Moderate

Citation:

2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)

Description:

Failure to meet the limit for one or more permit parameter

Date: 08/31/2007 (605101)

Self Report? YES Classification: Moderate

Citation:

2D TWC Chapter 26, SubChapter A 26.121(a)

30 TAC Chapter 305, SubChapter F 305.125(1)

Description:

Failure to meet the limit for one or more permit parameter

Date: 10/31/2007

Self Report?

Classification: Moderate

Citation:

2D TWC Chapter 26, SubChapter A 26.121(a)

30 TAC Chapter 305, SubChapter F 305.125(1)

Description:

Failure to meet the limit for one or more permit parameter

Date: 12/31/2007 (676346)

Self Report? YES

Classification: Moderate

Citation:

2D TWC Chapter 26, SubChapter A 26.121(a)

30 TAC Chapter 305, SubChapter F 305.125(1)

Description:

Failure to meet the limit for one or more permit parameter

Date: 01/31/2008 (694741)

Self Report? YES

Classification: Moderate

Citation:

2D TWC Chapter 26, SubChapter A 26.121(a)

30 TAC Chapter 305, SubChapter F 305.125(1)

Description:

Failure to meet the limit for one or more permit parameter

Date: 04/30/2008 (694743)

Self Report? YES

Classification: Moderate

Citation:

2D TWC Chapter 26, SubChapter A 26.121(a)

30 TAC Chapter 305, SubChapter F 305.125(1)

Description:

Failure to meet the limit for one or more permit parameter

Date: 08/31/2008 (716230)

Self Report?

Classification: Moderate

Citation:

2D TWC Chapter 26, SubChapter A 26.121(a)

30 TAC Chapter 305, SubChapter F 305.125(1)

Description:

Failure to meet the limit for one or more permit parameter

Date: 10/31/2008 (731750)

Self Report?

Classification: Moderate

Citation:

2D TWC Chapter 26, SubChapter A 26.121(a)

30 TAC Chapter 305, SubChapter F 305.125(1)

Description:

Failure to meet the limit for one or more permit parameter

Date: 02/17/2009 (703394)

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(c)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.115b(d)(3) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT NNN 60.665(I)(2) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT NNN 60.665(I)(4)

5C THSC Chapter 382 382.085(b) General Terms and Conditions OP Special Terms and Conditions No. 1(A) OP

Description: failure to submit the 40 CFR §60.115b(d)(3) and 40 CFR 60. 665(l)(4) & (2)

semiannual reports in a timely manner.

Self Report? Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.705(I)(2) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.705(I)(3)

5C THSC Chapter 382 382.085(b) Special Terms & Conditions No. 1(A) OP

Description: failure to submit the 40 CFR §60.705(I)(3) & (2) semiannual report with

information on all periods in which the pilot flame of the north plant flare was absent and all periods when the vent stream is diverted from the flare to the

Classification: Moderate

Classification:

Minor

atmosphere.

Self Report?

Classification: Moderate 30 TAC Chapter 116, SubChapter B 116.115(c)

Citation:

30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)

Special Conditions No. 21(A) PERMIT Special Terms and Conditions No. 9 OP

failure to perform the annual RATA on the NOx, CO, and O2 CEMS by the June Description:

30, 2007 due date.

Self Report? Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(1) 30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b) Special Terms and Conditions No. 1(A) OP

Description: failure to visually inspect the internal floating roof at least once every 12 months.

Classification: Moderate NO Self Report?

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b) Special Condition no. 26(D) PERMIT Special Terms and Conditions No. 9 OP

failure to visually inspect the internal floating roof at least once every 12 months. Description:

Self Report?

Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Special Condition No. 29(B)(3) PERMIT Special Terms and Conditions No. 9 OP

failure for the NOx and CO CEMS to generate 23 hourly averages per day for Description:

stationary turbines D4GT0123, D4GT0223, and D4GT0323.

Self Report? NO

30 TAC Chapter 116, SubChapter B 116,115(c) Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b) Special Condition No. 21(C) PERMIT Special Terms and Conditions No. 9 OP

Description: failure to insure that the NOx and CO CEMS would generate 23 hourly averages

per day.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)

Special Condition No. 10(B)(3) PERMIT Special Terms and Conditions No. 9 OP

Description: failure for the NOx and CO CEMS to generate 23 hourly averages per day,

Self Report? Classification: Minor

30 TAC Chapter 116, SubChapter B 116.115(c) Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b) Special Condition No. 21(C) PERMIT Special Terms and Conditions No. 9 OP

failure to demonstrate compliance with the NOx and CO emission limits while the Description:

CEMS is off-line during daily calibration failure.

Self Report? Classification: Minor

30 TAC Chapter 115, SubChapter D 115.352(4) Citation:

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Special Terms and Conditions No. 1(A) OP

Description: failure to prevent open-ended lines. Date: 03/31/2009 (772269)

Self Report? Classification:

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)

30 TAC Chapter 305, SubChapter F 305.125(1)

Failure to meet the limit for one or more permit parameter Description:

Date: 03/23/2010 (788999)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 319, SubChapter A 319.5(b) Chronic Biomonitoring Requirements PERMIT

ELMR, No. 1, p. 2 PERMIT ELMR, No. 1, p. 2c PERMIT

Description: Failure to collect effluent samples at the frequency specified in the permit at

Outfalls 001 and 002.

Date: 04/14/2010 (787086)

Self Report? NO Classification: Moderate

30 TAC Chapter 116, SubChapter B 116.115(c) Citation:

5C THC Chapter 382, SubChapter A 382,085(b)

Special Condition 1 PERMIT

Description: Failed to operate within permitted limits of Air New Source Permit 20698. The

permitted limits were exceeded during a 45 minute period of time on March 19, 2005, with the following quantities: 164 lbs NOx, 328 lbs CO, and 1,135 lbs VOC.

Moderate

Self Report?

Classification: Moderate

30 TAC Chapter 116, SubChapter B 116.115(c) Citation:

5581, Special Condition 1 PERMIT 5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to operate within permitted limits of Air New Source Permit 5581. Zero

emissions are authorized from the tank loading operations. Unauthorized emissions of propane (11,452 lbs) were released over a 35 minute period of time

on March 17, 2005.

Date: 06/30/2010 (868529)

Self Report? Classification: Moderate

2D TWC Chapter 26, SubChapter A 26.121(a) Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

Failure to meet the limit for one or more permit parameter Description:

Date: 07/31/2010 (868530)

Self Report? YES Classification: Moderate

2D TWC Chapter 26, SubChapter A 26.121(a) Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

Failure to meet the limit for one or more permit parameter Description:

Date: 08/31/2010 (875427)

Self Report? Classification: Moderate

2D TWC Chapter 26, SubChapter A 26.121(a) Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

Failure to meet the limit for one or more permit parameter Description:

Date: 08/31/2010 (844336)

Self Report? Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.145(2)(C)

5C THSC Chapter 382 382.085(b)

Failure to submit the semi-annual deviation report, dated January 9, 2009, within Description:

the required 30-day timeframe (Category B3 Violation)

Date: 09/30/2010 (882978)

Self Report? YES Classification: Moderate

2D TWC Chapter 26, SubChapter A 26.121(a) Citation:

30 TAC Chapter 305, SubChapter F 305.125(1)

Failure to meet the limit for one or more permit parameter Description:

Date: 02/28/2011 (917780)

Self Report? YES Classification: Moderate

Citation:

2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)

Description:

Failure to meet the limit for one or more permit parameter

Date: 05/20/2011 (767479)

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A) 30 TAC Chapter 116, SubChapter G 116.715(a) 30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b) FOP Special Term and Condition 1A OP FOP Special Term and Condition 9 OP

NSR Flexible Permit Special Condition 4C PERMIT

Description:

Failure to operate the flares (FL-1, FL-2 and FL-45) without visible emissions

exceeding a total of five minutes during any two consecutive hours.

Category C4

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter G 116.715(a) 30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

FOP, Special Terms and Condition 1A OP FOP, Special Terms and Condition 9 OP NSR, General Terms and Condition 9 PERMIT NSR, Special Condition 4B PERMIT

Description:

Failure to ensure proper combustion and maintain a pilot flame on FL-1.

Category C4 violation

F. Environmental audits.

Notice of Intent Date: 10/12/2009 (782650)

No DOV Associated

Notice of Intent Date: 04/22/2010 (826716)

No DOV Associated

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

Participation in a voluntary pollution reduction program.

N/A

Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	. §	
ENTERPRISE PRODUCTS	§	TEXAS COMMISSION ON
OPERATING LLC	§	·
RN102323268	§	ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2011-0429-AIR-E

I. JURISDICTION AND STIPULATIONS

At its ______ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Enterprise Products Operating LLC ("the Respondent") under the authority of Tex. Health & Safety Code ch. 382 and Tex. Water Code ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent appear before the Commission and together stipulate that:

- 1. The Respondent owns and operates a chemical manufacturing plant at 10207 Farm-to-Market Road 1942 in Mont Belvieu, Chambers County, Texas (the "Plant").
- 2. The Plant consists of one or more sources as defined in Tex. Health & Safety Code § 382.003(12).
- 3. The Commission and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
- 4. The Respondent received notices of the violations alleged in Section II ("Allegations") on or about March 5, 2011, March 6, 2011, March 19, 2011, and April 24, 2011.
- 5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
- 6. An administrative penalty in the amount of Sixty-Six Thousand Nine Hundred Twenty-Five Dollars (\$66,925) is assessed by the Commission in settlement of the violations

alleged in Section II ("Allegations"). The Respondent has paid Twenty-Six Thousand Seven Hundred Seventy Dollars (\$26,770) of the administrative penalty and Thirteen Thousand Three Hundred Eighty-Five Dollars (\$13,385) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty. Twenty-Six Thousand Seven Hundred Seventy Dollars (\$26,770) shall be conditionally offset by the Respondent's completion of a Supplemental Environmental Project ("SEP").

- 7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
- 8. The Executive Director of the TCEQ and the Respondent have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
- 9. The Executive Director recognizes that the Respondent has implemented the following corrective measures:
 - a. By February 2, 2011, the corrected emission amounts and duration for the final record for Incident No. 148850 were provided to TCEQ staff;
 - b. By February 10, 2011, the corrected emission amounts for the final record for Incident No. 146894 were provided to TCEQ staff; and
 - c. By March 23, 2011, the Respondent revised the tubing installation procedures to require additional inspection steps, in order to prevent the recurrence of emissions events due to the same cause as Incident No. 146803.
- The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
- 11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
- 12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Plant, the Respondent is alleged to have:

1. Failed to prevent unauthorized emissions, in violation of Federal Operating Permit ("FOP") No. O1641, Special Terms and Conditions No. 9, New Source Review Permit

Enterprise Products Operating LLC DOCKET NO. 2011-0429-AIR-E Page 3

("NSRP") Nos. 19930, PSD-TX-797M1, and PSD-TX-790, Special Conditions No. 1, 30 Tex. Admin. Code §§ 101.20(3), 116.115(c), and 122.143(4), and Tex. Health & Safety Code § 382.085(b), as documented during a record review conducted on January 12, 2011. Specifically, the Respondent released 3,049.01 pounds ("lbs") of propylene, 1,202.31 lbs of propane, 43.25 lbs of n-butane, and 30.27 lbs of ethane from a pump in the North Storage Unit during an avoidable emissions event (Incident No. 146803) that began on October 30, 2010, and lasted one hour and ten minutes. This emissions event was the result of a leak that developed on a seal flush line on Pump P-704. Since this emissions event could have been avoided through better maintenance practices and was not properly reported, the Respondent is precluded from asserting an affirmative defense under 30 Tex. Admin. Code § 101.222.

- 2. Failed to submit the final record for Incident No. 146803 within two weeks after the end of the emissions event, in violation of 30 Tex. ADMIN. CODE § 101.201(c) and Tex. Health & Safety Code § 382.085(b), as documented during a record review conducted on January 12, 2011. Specifically, the emissions event ended on October 30, 2010 at 11:25 a.m., and the final record was not submitted until November 18, 2010 at 3:30 p.m.
- 3. Failed to prevent unauthorized emissions, in violation of FOP No. 01641, Special Terms and Conditions No. 9, Standard Permit Registration No. 87477, General Conditions, 30 Tex. Admin. Code §§ 116.115(b)(2)(F), 116.615(2), and 122.143(4), and Tex. Health & Safety Code § 382.085(b), as documented during a record review conducted on February 10, 2011. Specifically, the Respondent released 11,593.73 lbs of propane from a gasket on the Depropanizer Column Reboiler during an emissions event (Incident No. 146894) that began on November 1, 2010, and lasted six hours. This emissions event was the result of a leak that developed when a gasket failed due to thermal expansion. Since the Respondent failed to submit a final record, the Respondent is precluded from asserting an affirmative defense under 30 Tex. Admin. Code § 101.222.
- 4. Failed to submit a final record for Incident No. 146894, in violation of 30 TEX. ADMIN. CODE § 101.201(c) and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on February 10, 2011. Specifically, a final record was required to be submitted for this emissions event since it was determined that the actual quantity of emissions differed from the quantity that was reported in the initial notification.
- Failed to report emissions events that exceeded a reportable quantity, in violation of 30 Tex. Admin. Code § 101.201(a)(1)(B) and Tex. Health & Safety Code § 382.085(b), as documented during an investigation conducted on January 13, 2011. Specifically, a review of the Respondent's recordable emissions event records indicated that emissions events that occurred on April 25, 2008, August 3, 2008, October 9, 2008, November 5, 2008, November 10, 2008, and September 16, 2009, exceeded a reportable quantity, and the emissions events were not reported to the TCEQ.
- 6. Failed to report all instances of deviations, in violation of FOP No. O1641, General Terms and Conditions, 30 Tex. Admin. Code §§ 122.143(4) and 122.145(2)(A), and Tex. Health & Safety Code § 382.085(b), as documented during an investigation conducted on January 13, 2011. Specifically, 26 recordable and reportable emissions events occurred during the June 13, 2009 through December 12, 2009, December 13, 2009 through June 12, 2010, and June 13, 2010 through December 12, 2010 reporting periods, and they were not reported as deviations in the semi-annual deviation reports.

- 7. Failed to provide additional information at the request of the TCEQ, in violation of 30 Tex. Admin. Code § 101.201(f) and Tex. Health & Safety Code § 382.085(b), as documented during an investigation conducted on January 13, 2011. Specifically, in the Exit Interview Form dated January 13, 2011, emissions calculations for the emissions events that occurred on January 21, 2010, February 2, 2010, and June 23, 2010 were requested to be submitted by February 2, 2011, and the calculations have not been submitted.
- 8. Failed to prevent unauthorized emissions, in violation of FOP No. 01641, Special Terms and Conditions No. 9, NSRP No. 6798, General Conditions No. 1, 30 Tex. ADMIN. CODE §§ 116.115(b)(2)(F) and 122.143(4), and Tex. Health & Safety Code § 382.085(b), as documented during a record review conducted on February 2, 2011. Specifically, the Respondent released 22,151.69 lbs of volatile organic compounds from a bleed valve on a butane line for the West Texas Fractionator II during emissions event (Incident No. 148850) that began on Decmeber 27, 2010, and lasted sixteen minutes. This emissions event was the result of a leak that developed when a weld failure caused the valve to detach from the line. Since this emissions event was not properly reported, the Respondent is precluded from asserting an affirmative defense under 30 Tex. ADMIN. CODE § 101.222.
- 9. Failed to submit the initial notification for Incident No. 148850 within 24 hours, in violation of 30 Tex. Admin. Code § 101.201(a)(1)(B), and Tex. Health & Safety Code § 382.085(b), as documented during a record review conducted on February 2, 2011. Specifically, the emissions event was discovered on December 27, 2010 at 2:30 p.m., however, the intial notification was not submitted until December 28, 2010 at 3:54 p.m.
- Failed to submit a final record for Incident No. 148850, in violation of 30 Tex. Admin. Code § 101.201(c), and Tex. Health & Safety Code § 382.085(b), as documented during a record review conducted on February 2, 2011. Specifically, a final record was required to be submitted for this emissions event since it was determined that the actual quanity of emissions and duration of the emissions event differed from what was reported in the initial notification.

III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Enterprise Products Operating LLC, Docket No. 2011-0429-AIR-E" to:

Enterprise Products Operating LLC DOCKET NO. 2011-0429-AIR-E Page 5

> Financial Administration Division, Revenues Section Attention: Cashier's Office, MC 214 Texas Commission on Environmental Quality P.O. Box 13088 Austin, Texas 78711-3088

- 2. The Respondent shall implement and complete a SEP in accordance with Tex. WATER CODE § 7.067. As set forth in Section I, Paragraph 6 above, Twenty-Six Thousand Seven Hundred Seventy Dollars (\$26,770) of the assessed administrative penalty shall be offset with the condition that the Respondent implement the SEP defined in Attachment A, incorporated herein by reference. The Respondent's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.
- 3. It is further ordered that the Respondent shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Agreed Order:
 - i. Implement measures and procedures designed to ensure that final records for emissions events are submitted when the information differs from the information reported in the initial notification, in accordance with 30 Tex. ADMIN. CODE § 101.201;
 - ii. Report the emissions events that occurred on April 25, 2008, August 3, 2008, October 9, 2008, November 5, 2008, November 10, 2008, and September 16, 2009 to the State of Texas Environmental Electronic Reporting System, in accordance with 30 Tex. Admin. Code § 101.201;
 - iii. Implement measures and procedures designed to ensure that emissions events are reported to the TCEQ when a reportable quantity is exceeded, in accordance with 30 Tex. Admin. Code § 101.201;
 - iv. Implement measures and procedures designed to ensure that all recordable and reportable emissions events are reported in the semi-annual deviation reports, in accordance with 30 Tex. ADMIN. CODE § 122.145;
 - v. Provide emissions calculations, including the basis for such calculations, for the emissions events that occurred on January 21, 2010, February 2, 2010, and June 23, 2010, in accordance with 30 Tex. ADMIN. CODE § 101.201, to:

Air Section, Manager Houston Regional Office Texas Commission on Environmental Quality 5425 Polk Avenue, Suite H Houston, Texas 77023-1486

- vi. Implement measures and procedures designed to ensure that additional information requested by TCEQ staff is provided within the established timeframe, in accordance with 30 Tex. Admin. Code § 101.201; and
- vii. Implement measures and procedures designed to ensure that initial notifications for emissions events are submitted with 24 hours of discovery, in accordance with 30 Tex. ADMIN. CODE § 101.201.
- b. Within 45 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 3.a. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team Enforcement Division, MC 149A Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

with a copy to:

Air Section, Manager Houston Regional Office Texas Commission on Environmental Quality 5425 Polk Avenue, Suite H Houston, Texas 77023-1486

- 4. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
- 5. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.

- 6. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
- 7. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
- This Agreed Order may be executed in separate and multiple counterparts, which 8. together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
- 9. Under 30 Tex. Admin. Code § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

Enterprise Products Operating LLC DOCKET NO. 2011-0429-AIR-E Page 8

Enterprise Products Operating LLC

For the Commission

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

agree to the attached Agreed Order on behalf	I the attached Agreed Order. I am authorized to of the entity indicated below my signature, and I therein. I further acknowledge that the TCEQ, in naterially relying on such representation.
 and/or failure to timely pay the penalty amoun A negative impact on compliance histor Greater scrutiny of any permit applicati Referral of this case to the Attorney additional penalties, and/or attorney fe Increased penalties in any future enforced Automatic referral to the Attorney General TCEO seeking other relief as authorized 	y; ions submitted; General's Office for contempt, injunctive relief, es, or to a collection agency; cement actions; neral's Office of any future enforcement actions;
Signature	7/29/11 Date
Graham Bacon Name (Printed or typed) Authorized Representative of	VICK PARSIDENT HOUSTEN AKGION

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration

Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order.

Attachment A Docket Number: 2011-0429-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent: Enterprise Products Operating LLC

Payable Penalty Fifty-Three Thousand Five Hundred Forty

Amount: Dollars (\$53,540)

SEP Amount: Twenty-Six Thousand Seven Hundred Seventy

Dollars (\$26,770)

Type of SEP: Pre-approved

Third-Party Recipient: Barbers Hill Independent School District-

Alternative Fueled Vehicle and Equipment

Program

Location of SEP: Chambers County

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative Penalty Amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

A. Project

The Respondent shall contribute the SEP offset amount to the Third-Party Recipient named above. The contribution will be to *Barbers Hill Independent School District* for the **Alternative Fueled Vehicle and Equipment Program** as set forth in an agreement between the Third-Party Recipient and the TCEQ. SEP monies will be used to retire current diesel-powered or gasoline powered vehicles and equipment and replace those vehicles and equipment with alternative-fueled vehicles and equipment; convert current vehicles and equipment to alternative-fueled equipment; or retrofit current gasoline or diesel-powered equipment.

SEP funds will only be used for the incremental costs of purchase of clean fuel or loweremission vehicles or retrofit of existing vehicles and for the purchase of these cleaner burning fuels.

The Respondent certifies that there is no prior commitment to do this project and that it is being performed solely in an effort to settle this enforcement action.

Enterprise Products Operating LLC Agreed Order - Attachment A

B. Environmental Benefit

This SEP will provide a discernible environmental benefit by reducing air pollution emissions of particulate matter, volatile organic compounds, nitrogen oxides, and other pollutants associated with the combustion of fuel that would have been generated by older vehicles.

C. Minimum Expenditure

Respondent shall contribute at least the SEP amount to the Third-Party Recipient and comply with all other provisions of this SEP.

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP amount to the Third-Party Recipient. The Respondent shall mail the contribution, with a copy of the Agreed Order, to:

John Johnson Carl Griffith & Associates, Inc. 2901 Turtle Creek Drive, Suite 101 Port Arthur, Texas 77642

3. Records and Reporting

Concurrent with the payment of the SEP Amount, the Respondent shall provide the Enforcement Division SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP amount to the Third-Party Recipient. The Respondent shall mail a copy of the check and transmittal letter to:

Enforcement Division Attention: SEP Coordinator, MC 219 Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

4. Failure to Fully Perform

If the Respondent does not perform its obligations under this SEP in any way, including full payment of the SEP amount and submittal of the required reporting described in Section 3 above, the Executive Director may require immediate payment of all or part of the SEP amount.

Enterprise Products Operating LLC Agreed Order - Attachment A

The check for any amount due shall be made out to "Texas Commission on Environmental Quality" and mailed to:

Texas Commission on Environmental Quality Financial Administration Division, Revenues Attention: Cashier, MC 214 P.O. Box 13088 Austin, Texas 78711-3088

The Respondent shall also mail a copy of the check to the Enforcement Division SEP Coordinator at the address in Section 3 above.

5. Publicity

Any public statements concerning this SEP made by or on behalf of the Respondent must include a clear statement that the project was performed as part of the settlement of an enforcement action brought by the TCEQ. Such statements include advertising, public relations, and press releases.

6. Clean Texas Program

The Respondent shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, the Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

The SEP identified in this Agreed Order has not been, and shall not be, included as an SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.